

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY	
Caption in Compliance with D.N.J. LBR 9004-2(c) Eric J Clayman, Esquire Jenkins & Clayman 412 White Horse Pike Audubon, NJ 08106 (856) 546-9696 Attorney for Debtor	
In Re: Andrea Smith debtor	Case No.: 15-29631 Judge: KCF Chapter: 13

CHAPTER 13 DEBTOR'S CERTIFICATION IN OPPOSITION TO

- ☐ **CREDITOR'S MOTION or CERTIFICATION OF DEFAULT**
☒ **TRUSTEE'S MOTION or CERTIFICATION OF DEFAULT**

The debtor in the above-captioned Chapter 13 proceeding hereby objects to the following (**choose one**):

1. ☐ Motion for Relief from the Automatic Stay filed by _____, creditor.

A hearing has been scheduled for _____

OR

- ☒ Motion to Dismiss filed by the Standing Chapter 13 Trustee, Albert Russo

A hearing has been scheduled for November 8, 2017, at 9:00am.

- ☐ Certification of Default filed by _____

I am requesting a hearing be scheduled in this matter.

OR

- ☐ Certification of Default filed by Standing Chapter 13 Trustee.

2. I am objecting to the above for the following reasons (**choose one**):

☐ Payments have been made in the amount of \$_____, but have not been accounted for. Documentation in support of attached hereto.

☐ Payments have not been made for the following reasons and debtor proposes repayment as follows **explain your answer**):

☒ Other (**explain your answer**): When I filed bankruptcy, I was working two nearly full time jobs. I simply could not maintain both jobs. I propose a modified plan that I will finish my trustee payment by paying the trustee \$200 a month, to begin in November 2017. I promise to pay each and every month. I cannot afford anymore. I will modify my plan, amend my schedules I and J, and provide the trustee with paystubs.

3. This Certification is being made in an effort to resolve the issues raised by the creditor in this motion.

4. I certify under penalty of perjury that the foregoing is true and correct.

Date: 10/17/17

/s/Andrea Smith
Andrea Smith, debtor

NOTE:

1. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor at least seven (7) days before the return date pursuant to D.N.J. LBR 9013-1(d), if filed in opposition to a *Motion for Relief from the Automatic Stay or Trustee's Motion to Dismiss*.
2. This form must be filed with the court and served upon the Standing Chapter 13 Trustee and creditor within ten (10) days of the filing of a *Creditor's Certification of Default* (under an *Order Resolving Motion to Vacate Stay and/or Dismiss with Conditions*) or a *Trustee's Certification of Default*.

If this form is not filed the Motion or Certification of Default will be deemed uncontested